

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LANDS – Issue of ‘No Objection Certificate’ (NOC) in respect of licenses for mining leases and quarry leases in respect of government lands - Guidelines formulated – Orders – Issued.

Revenue (Assignments.I) Department

G.O. Ms. No. 2

Dated 02.01.2013.

Read the following :-

- (1) G.O. Ms. No. 181, Industries & Commerce (Mines.I) Department, dated 28.05.1998.
- (2) Government Memo. No. 33948/Assn.I(1)/2012-1, dated 06.08.2012.
- (3) Special Chief Secretary and CCLA’s Letter No. B3/1503/2010, dated 18.08.2012.

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ORDER:

In the G.O. first read above, the Industries & Commerce Department have issued certain instructions prescribing procedure for disposal of Prospecting License / Mining Lease and Quarry Lease Applications for compliance by all the officers of the Government at different levels.

2. It has been brought to the notice of the Government on various occasions that as per the orders issued by the Industries and Commerce Department vide G.O. 1st read above, the Tahsildars are issuing “NOC”s irrespective of extent and value and without knowledge of the superior revenue authorities which are leading to irregularities. It has been observed that the details of extent, period, renewal etc. of Government land leased out for mining / quarry purpose are not available with concerned Collectors. Further, basing the ‘NOCs’ issued by the Tahsildars, the Industries and Commerce Department issues long term leases for mines and quarries without following the due procedure.

3. In the reference 2nd read above, Government have issued instructions directing that no “NOC” should be issued by the Tahsildar in respect of licenses for mining lease and quarry lease purposes until the matter is examined fully and pending issue of orders in the matter.

4. Taking into consideration of various shortfalls in issuing “NOCs” by the Tahsildars in respect of licenses for mining leases and quarry leases in respect of government lands, a meeting was convened on 01.08.2012 in which the Director of Mines was also present. In the said meeting, among others, it was observed that the details i.e. extent period, renewals etc of government land leased out for mining leases / quarry purposes are not available with the revenue department and hence the primary function of the Revenue Department maintaining the land records is defeated. Hence, it was decided to review the existing procedure particularly with regard to issue of ‘NOCs’ in respect of revenue government lands for mining lease / quarry lease purposes.

5. Subsequently, the Special Chief Secretary and Chief Commissioner of Land Administration has also convened a meeting on 08.08.2012 with the concerned officials and furnished draft guidelines for issue of “NOCs” in respect of licenses for mining lease and quarry lease etc. and requested the Government for issue of appropriate orders in the matter.

contd.2.

6. Government after careful examination of the matter, hereby issue the following uniform guidelines for issue of "NOCs" in respect of licenses for mining lease and quarry lease etc. in supercession of all the existing orders on the subject matter. However, the Assistant Director – Mines and Geology concerned shall receive applications as per the procedure in vogue.

- (i) Joint Inspection Team consisting of Revenue Divisional Officer, Divisional Forest Officer and Assistant Director (Mines and Geology) should inspect the proposed land and submit detailed report to the District Collector within (30) days after receipt of the application for grant of licence for Mining Lease / Quarry Lease;
- (ii) Wherever the DKT lands are proposed for Mining / Quarry, the assignees should be given preference for mining / quarry lease;
- (iii) A society in the name of Joint Mining Cooperative Society has to form, where large chunk of DKT lands are proposed for mining and the Committee has to take up the mining activities as per the existing rules. In the event of Joint Cooperative Society not in a position to do so, arrangement should be made to pay royalty to the assignees;
- (iv) The lands which are needed for community purposes like festivals, fairs, religious activities etc are to be avoided as far as possible;
- (v) The lands which are needed for future public purpose like providing house-sites to weaker sections, are to be discarded as far as possible;
- (vi) A District Level Screening Committee may be constituted under the Chairmanship of the District Collector with the following composition to take collective decisions on issue of "NOCs".

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| 1. | District Collector | Chairman |
| 2. | Joint Collector | Member |
| 3. | RDO – concerned | Member |
| 4. | Executive Engineer Pollution Control Board | Member |
| 5. | District Forest Officer | Member |
| 6. | Tahsildar concerned | Member |
| 7. | Assistant Director (Mines & Geology) | Member- Convenor |

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- (vii) The District Level Screening Committee will meet once in every (60) days and scrutinize the report of Joint Inspection Team and take a decision on the issue of "NOC" and forward it's decision to the Director – Mines & Geology for necessary action.

7. The Special Chief Secretary and CCLA / District Collectors shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Special Chief Secretary & Chief Commissioner of
Land Administration, AP Hyderabad.
All District Collectors.
The Industries & Commerce (Mines) Department.
The E.F.E.S. & T Department.
The Director – Mines and Geology, AP Hyderabad.
The Managing Director – A.P. Pollution Control Board, Hyd.
Copy to:
All Assignment Sections.
The PS to M (Revenue)
The PS to M (M & G)
The PS to Prl.Secy. to CM
The PS to Prl.Secy. (Rev.)
SF / SC

/ Forwarded:: By Order /

SECTION OFFICER